

AF/1656
The



Practitioner's Docket No. NEB-177-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Thomas C. Evans, Ming-qun Xu

Application No.: 09/937,070

Group No.: 1656

Filed: January 29, 2002

Examiner: Schnizer

For: Method for Producing Circular or Multimeric Protein Species *in vivo* or *in vitro* and Related Methods

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Patent Owner hereby appeals to the Board from the decision of the Examiner, mailed August 1, 2005, finally rejecting claims 12, 24, 16.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on September 20, 2001.

02/02/2006 SFELEKE1 00000066 09937070

01 FC:2401
02 FC:2253

250.00 OP
510.00 OP

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10*

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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G facsimile transmitted to the Patent and Trademark Office, (571) 273 -8300.

Date: January 30, 2006

Signature

Leslie Goldberg

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity \$250.00

Notice of Appeal fee due \$250.00

3. EXTENSION OF TERM

Applicant has petitioned for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months. The fee of \$510 has been submitted with the response to the final office action.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

5. FEE PAYMENT

Attached is a check in the amount of \$250.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 14-0740.

Date: January 30, 2006



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